



Paper No. 6

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In re Application of
Kevin M. Williams
Application No. 09/531,295
Filed: March 20, 2000
Attorney Docket No. 3608.110

DECISION ON PETITION

This is a decision on the petition filed on September 4, 2001, pursuant to 37 CFR 1.137(b)¹, to revive the above-identified application².

The petition is **GRANTED**.

The above-identified application became abandoned for failure to timely file a proper response to the non-final Office action, mailed October 5, 2000, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. No response having been received, the above-identified application became abandoned on January 6, 2001. A Notice of Abandonment was mailed on April 20, 2001.

The petitioner has met the requirements to revive the above-identified application, pursuant to 37 CFR 1.137(b). Petitioner submitted the required reply in the form of an amendment, paid the petition fee, and made a statement of delay. 37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3). The statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3). Petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address

¹ It is noted that petitioner stated that the delay was "unavoidable". However, petitioner entitled his petition to revive as a petition under 37 CFR 1.137(b) (the section governing "unintentional" delay), and not 37 CFR 1.137(a) (the section governing "unavoidable" delay). Furthermore, petitioner provided the \$620 fee that is required for reviving an application for unintentional delay, not the \$55 fee unavoidable fee. Accordingly, the petition has been treated as a petition to revive under 37 CFR 1.137(b).

² It is noted that petitioner referenced serial number 09/425,308 in his petition to revive. However, after considering the named inventor (Kevin M. Williams), filing date (March 20, 2000), and invention title (Privacy Screens), the serial number was construed to be number 09/531,295. Application serial number 09/425,308 is currently abandoned.

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should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

The application file is being forwarded to Technology Center 3600 for consideration of petitioner's amendment, filed September 4, 2001.

Telephone inquiries regarding this decision should be directed to Petitions Attorney Cliff Congo at (703) 305-0272.



Beverly M. Flanagan
Supervisory Petitions Examiner
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